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11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,	)	No. CR-07-00488 CW
vs.	)	<b>AMENDED STIPULATION AND</b>
ANDRE MATTHEWS, et al.	)	<b>ORDER CONTINUING STATUS</b>
Defendant.	)	<b>HEARING</b>
	)	Hearing Date: November 28, 2007
	)	Requested Date: January 9, 2008

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17 It is hereby stipulated that the STATUS hearing date of November 28, 2007 be continued  
18 to January 9, 2008 at 2:00 p.m. In addition, the parties stipulate and agree that time should be  
19 excluded between November 28, 2007 until January 9, 2008 due to the ongoing investigation by  
20 defense counsel. Two new defense counsel have very recently joined this case. It appears that  
21 all defendants are now present, but the new counsel have had very little time to review the  
22 discovery. Approximately 4000 pages of discovery have been produced to defense counsel in  
23 electronic form. This electronic discovery has been converted to OCR searchable form by  
24 defense counsel and distributed to all defense counsel. Seven CD-ROM's of discovery recently  
25 received have not been reviewed. Calculation of loss value exposure will be a complicated  
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1 process in this case and is ongoing. The parties understand the court's preference for setting of  
2 motions by stipulation; however, the parties are not in a position to assess the time needed for  
3 discovery review or motions preparation. If possible, the parties will propose a motions schedule  
4 by stipulation prior to the requested next appearance.

5 The parties agree that the ends of justice served by the continuance requested herein  
6 outweigh the best interest of the public and the defendant in a speedy trial because the failure to  
7 grant the continuance would deny the counsel for the defendant the reasonable time necessary  
8 for effective preparation, taking into account the exercise of due diligence. Time should  
9 therefore be excluded pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

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11 11-27-07  
12 Date

\_\_\_\_\_  
/s/  
John Paul Reichmuth  
Assistant Federal Public Defenders  
Counsel for defendant Johnson

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14 11-27-07  
15 Date

\_\_\_\_\_  
/s/  
Richard Tamor  
Counsel for defendant Bacon

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17 11-27-07  
18 Date

\_\_\_\_\_  
/s/  
Garrick Lew  
Counsel for defendant Alexander

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11-27-07  
Date

\_\_\_\_\_  
/s/  
Gail Shifman  
Counsel for defendant Kautzman

21

22 11-27-07  
Date

\_\_\_\_\_  
/s/  
John Hemann  
Counsel for defendant Matthews

23

24 11-27-07  
Date

\_\_\_\_\_  
/s/  
Laura Robinson  
Counsel for defendant Enriquez

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1      11-27-07  
2      Date

\_\_\_\_\_  
/s/  
Mark Goldrosen  
Counsel for defendant Reyes

3      11-27-07  
4      Date

\_\_\_\_\_  
/s/  
Seth Chazin  
Counsel for defendant Williams

5      11-27-07  
6      Date

\_\_\_\_\_  
/s/  
Ismail Ramsey  
Counsel for defendant Arnold

8      11-27-07  
9      Date

\_\_\_\_\_  
/s/  
Diana Weiss  
Counsel for defendant Green

10     11-27-07  
11     Date

\_\_\_\_\_  
/s/  
H.H. "Shashi" Kewalramani  
Assistant United States Attorney

13     I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)  
14     within this efiled document.

\_\_\_\_\_  
/S/ John Paul Reichmuth  
Counsel for Defendant Alicia Johnson

## 17                   **ORDER**

18     Based on the reasons provided in the stipulation of the parties above, the Court hereby  
19     finds that the ends of justice served by the continuance requested herein outweigh the best  
20     interest of the public and the defendant in a speedy trial because the failure to grant the  
21     continuance would deny the counsel for the defendant the reasonable time necessary for effective  
22     preparation, taking into account the exercise of due diligence. The Court makes this finding  
23     because the parties continue to investigate the new discovery, which is voluminous.

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1       Based on these findings, IT IS HEREBY ORDERED THAT the STATUS hearing date of  
2 November 28, 2007 at 2:00 p.m. be continued to January 9, 2008 and that time be excluded from  
3 November 28, 2007 to January 9, 2008 pursuant to 18 U.S.C. §§3161 (h)(8)(A) and (B)(iv).

4       IT IS SO ORDERED.

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6       11/27/07

7       Date

8       Hon. Claudia Wilken  
United States District Judge

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